

PICKETING LIMITED BY SUPREME COURT

Unjustifiable if Carried to
Point of 'Importunity
and Dogging.'

PERSUASION IS PROPER

Chief Justice Says Courts
Must Prevent Intimi-
dation by Groups.

MISSIONARIES ALLOWED

Justice Clark Alone Dissents
From the Opinion of
Associates.

WASHINGTON, Dec. 5.—Picketing in connection with a labor strike is unjustifiable if carried to the point of "importunity and dogging," the Supreme Court ruled today.

Decision as to whether specific instances of picketing come within the court's inhibition must be left for determination on the facts in each case, it was declared, but the court suggested that pickets should have the right of "observation, communication and persuasion," and might further be limited to "one representative" for each point of ingress and egress.

Justice Clark Dissents.
The opinion of the court, which was read by Chief Justice Taft, was approved by all the associate justices except Mr. Clark, who did not state the grounds of his dissent.

This case arose out of a strike at the American Steel Foundries plant at Granite City, Ill., where 1,600 men were normally employed. After shutting down its rearm operations as an open shop with about 250 men, about one-half of whom belonged to labor unions. The tri-city trades council declared a strike and established pickets. There was considerable violence by the picketers until the courts intervened and restricted their activities. The council thereupon contested the authority of the courts to interfere with its picketing plan.

"In going to and from work men have a right to as free a passage without obstruction as the streets afford," the Supreme Court held today, "consistent with the rights of others to enjoy the same privilege."

While attempts to influence another's action cannot be regarded as aggression or a violation of the other's rights, the court continued, "importunity and dogging become unjustifiable annoyance and obstruction which is likely soon to savor of intimidation."

Pickets should "not be abusive, libelous or threatening," nor "approach individuals together." This rule, the court explained, "might be varied in other cases." The courts must, however, "prevent the inevitable intimidation of the presence of groups of pickets, but to allow missionaries."

Strike a Lawful Instrument.
"The strike became a lawful instrument in a lawful economic struggle or competition between employer and employees," the Chief Justice stated, "as to the share or division between them of the joint product of labor and capital."

The principle of the unlawfulness of maliciously enticing laborers still remains, and action may be maintained therefor in proper cases, but to make it applicable to local labor unions, in such a case as this, seems to us to be unreasonable."

GRANITE CITY, Ill., Dec. 5.—The case

KAISER PLANNED TO WED RICH WIDOW, BERLIN HEARS

Met Frau von Rochow at Army Manoeuvres and
Friendship Arose; Recently Was Invited to Doorn,
but Her Family Opposed Match.

Special Cable to THE NEW YORK HERALD.
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New York Herald Bureau.

The Neue Berliner Zeitung, which reports the approaching marriage of the ex-Kaiser with the widow of a high German officer, intends, THE NEW YORK HERALD correspondent here was informed, to reveal the details of the reported engagement, now that its statements have been formally and vigorously denied.

The name of the ex-Kaiser's fiancée, it says, is Frau von Rochow, who is described as younger than he, wealthy and a woman of rare charm. Her late husband was a Colonel in the Danzig Hussars. The Neue Berliner Zeitung says Wilhelm first made her acquaintance at army manoeuvres. Recently the close

friendship which existed between them has been limited to occasional letters. He invited her to Doorn, where, it is said, she now is. The wedding date, the paper says, was set for January 13, but opposition on the part of the Von Rochow family was said to have necessitated a delay.

Friends of the ex-Kaiser in Berlin deny the report and say it originated out of the circumstance that Frau von Rochow did, with two other women, make a visit to Doorn, the three offering their administrative services after the death of the ex-Kaiser. Invitations to these three to visit Doorn House followed on the advice of the ex-Kaiser's counselors. In time the mark fell and the imperial income began to melt, so that Wilhelm had to discharge many servants and help from volunteers was necessary to keep up so large an establishment as his.

In which the United States Supreme Court today held that picketing was illegal when importunity was involved originated in 1914, following a strike of 1,800 union employees of the American Steel Foundries Company.

The company obtained an injunction in the Federal Court at Springfield prohibiting the picketing, on the ground the defendants were engaged in unlawful conspiracy. The case was appealed to the United States Court of Appeals at Chicago, where, after being argued twice, it was decided in favor of the defendant. The company appealed to the United States Supreme Court.

300 SHOE WORKERS STRIKE.

Counter Makers Say 20 Per Cent.
Cut Is Too Drastic.

LYNN, Mass., Dec. 5.—Three hundred shoe workers employed in seven counter manufacturing plants here went on strike today in protest against a 20 per cent. wage cut.

George A. Lovely, business agent of the Sole Leather Workers Union, United Shoe Workers of America, to which the striking employees belong, said the union conceded the necessity only of a 10 per cent. reduction. The manufacturers, he said, had first suggested a 30 per cent. cut.

PICKS 1,000 CHICKENS TO BUY; STEALS THEM

Iowa Farmer Is Victim of an
Enterprising Thief.

Special Despatch to THE NEW YORK HERALD.
COUNCIL BLUFFS, Dec. 5.—An enterprising chicken thief visited J. F. Strange, farmer, near Sheldon, Sunday afternoon and asked the agriculturist to crate up 1,000 chickens so that he could call for them Monday.

Sunday night the fake buyer returned to the Strange farm while the owner and his family slept and stole the crates filled with chickens from where they had been stored in the henhouse.

The buyer, whom Strange describes as well dressed, stood by and flicked dust from his white gloves while the farmer, his wife and hired man caught and crated the chickens as he picked them out at the time of his first visit.

EX-LEGISLATOR IS ARRESTED.

Paraded With Banner Charging
Bribery in Boston Fare Fight.

BOSTON, Dec. 5.—Former State Representative Thomas A. Noland of East Boston, who is a candidate for the City Council in the municipal election next week, was arrested late today after he had spent several hours parading before the Suffolk County Court House bearing a banner on which was inscribed: "Suffolk Grand Jury: Indict the bribe takers. Indict the bribe givers who rob us with a ten cent car fare."

The charge against Noland was carrying a banner in a public street without permission. He was released on bond.

ANOTHER BOYCOTT FOR WALES LIKELY

Calcutta Uprising Planned for
Christmas Eve at Arrival
of Prince.

LONDON, Dec. 5 (Associated Press).—Apprehension is felt over the possibility of a fresh outbreak of the boycott movement in Calcutta, where the Prince of Wales is due to arrive on Christmas eve, according to a despatch to the Morning Post from Calcutta.

While the Indian Government's measures to suppress the "hartal" (as the movement is called), synchronizing with the Prince's arrival in India, have been temporarily effective, it is feared that the trouble has only been "driven under the ground." The correspondent says extremists openly declare that another "hartal" is coming, which "will amass even the Prince himself." The Government's prohibition of open agitation, says the despatch, has led to more intensive propaganda by malcontents among the more occult castes and institutions.

The Prince's visit to Calcutta is timed to coincide with the greatest society race meeting there, extending through Christmas and New Year's. It might almost be said that the Government of India is transferred to Calcutta for that period, since the Viceroy and most of the other Government officials from all parts of India usually attend. This might furnish the setting for the boycott which the Post's correspondent fears.

BIKANER, India, Dec. 5.—A religious fire dance was held for the Prince of Wales as part of the entertainment here. Bare legged natives danced through the embers of a great bonfire built in the quadrangle of the fort. As they danced they sang wildly and snatched up portions of the fiery mass which they placed in their mouths. Several members of the Prince's staff burned their fingers in attempting to pick up some of the embers.

The Prince, in excellent health, has been devoting as much time as possible to shooting, motoring and other sports, but his trip will soon assume a more formal character. He expects to leave here on Tuesday for Bhartpur.

STATE POLICE BEGIN PATROL.

TRENTON, Dec. 5.—The State police force, organized under a law passed last winter, today began patrolling New Jersey's highways. The new constabulary, commanded by Col. P. Norman Schwarzkopf of Newark, recently completed a three months' training course at Sea Girt.

MORSE OFF FOR U. S.; NOT AFRAID, HE SAYS

Predicts He Will Be Back in
France Next Month, as He
Sails on Paris.

SPEAKS OF TUNIS DEAL

Shipbuilder Declares He Is at
Loss to Understand Action
of Dept. of Justice.

Special Cable to THE NEW YORK HERALD.
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HAYVE, Dec. 5.—"If it is the Tunis ship deal they are trying to get me on, I will be back here in January. They could not pay me enough to get me to stay away from New York."

This was the final fling of Charles W. Morse to a score of American and English newspaper correspondents who have followed his movements from the time he landed in Havre Saturday to his departure on board the steamship Paris of the French line late to-night.

"I was indicted in connection with the Tunis ship deal," he continued, "more than a year ago in New York State, and the indictment was quashed at the request of the Shipping Board. (Mr. Morse was indicted May 3, 1920, on a charge that, through an agent, he had sold the steamer John G. McCulloch to the Government of Tunis in violation of the law proscribing sale of a ship registered under the American laws to any one not a citizen of the United States without the Shipping Board's permission.)

"So far I know nothing whatever about my indictment except what I have read in the papers," Mr. Morse continued. "I don't know whether I am going back to be arrested or merely to give evidence. The whole affair is a mystery to me, but I know I have nothing to fear."

Mr. Morse after a restless night arose

at 9 o'clock this morning and immediately conferred with Detective Fabiani, who agreed to accompany him to the steamship company's offices at 11 o'clock, when Mr. Morse succeeded in engaging a stateroom on the upper deck of the Paris, but owing to the fact that the ship's crew was not to report on board the vessel until 2 o'clock in the afternoon officials of the French line refused to allow Mr. Morse to go aboard until that time. An appeal to higher officials, however, resulted in Mr. Morse getting permission to go to his stateroom at noon.

Mr. Morse had luncheon privately and then watched the arrival aboard the Paris of other voyagers, but he was always under the supervision of two plain clothes men, who remained aboard the vessel until she sailed.

Mr. Morse apparently expected to receive permission from Attorney-General Daugherty to remain in Europe, and he could not understand why this permission had not been delivered to him in view of despatches from Washington insisting that it had been sent.

"I guess it has gone astray," Mr. Morse told a ship's officer, "but it does not matter. I know too many of the people who are returning home and I will spend most of my time in my stateroom."

Speaking of the shipbuilding contracts in connection with the investigation of which he was requested by Attorney-General Daugherty to return to the United States, Mr. Morse referred to the fact that William G. McAdoo, formerly Secretary of the Treasury, is attorney for the Virginia Shipbuilding Company and the Groton Iron Works.

Something went amiss with the stateroom arrangements, for late this afternoon it was discovered that another passenger had been assigned to share Mr. Morse's room. Mr. Morse made a strenuous complaint and declared he was willing to pay anything necessary for privacy. He was assured that as soon as the ship was under way he would be given another room if the second man assigned to his stateroom was unwilling to make a change.

STH DEATH IN THEATRE FIRE.

NEW HAVEN, Dec. 5.—Mrs. Mary Kelley, 37, died at the hospital today, making the eighth person to die from the Rialto Theatre fire of a week ago last night. Her six-year-old daughter, Marie, and Mr. Louis Dietter are the only victims who remain upon the list of those in serious condition.

ROME PHYSICIAN DENIES KNOWLEDGE OF MORSE

Prof. Marchiafava Says He
Had No Appointment.

Special Cable to THE NEW YORK HERALD.
Copyright, 1921, by THE NEW YORK HERALD.
ROME, Dec. 5.—Prof. Marchiafava, widely known physician of Rome, when seen by THE NEW YORK HERALD correspondent here today, denied absolutely that he had any appointment for a consultation with or any knowledge of Charles W. Morse, who was detained at Havre because his presence was desired in Washington in connection with the investigation of his transactions with the Shipping Board.

A special despatch to THE NEW YORK HERALD from Havre last Friday quoted Mr. Morse as asserting that he had come to Europe to consult Prof. Marchiafava, the well known specialist of Rome and formerly physician to the Pope, regarding the necessity of an operation for kidney trouble and had asked permission to remain in Europe until January 5 in order that he might see Prof. Marchiafava.

SLAIN SOLDIER IDENTIFIED.

Camp Dix Victim Had Given Name
of Brother in St. Louis.

CAMP DIX, N. J., Dec. 5.—The body of the soldier found Saturday back of the disposal plant at Camp Dix, believed to have been murdered, was identified today as that of Michael Gregor, formerly supply sergeant of Company B, Sixteenth Infantry. Gregor disappeared from camp September 11, 1921. The camp records give the address of a brother, John Gregor, 1914 South Twelfth street, St. Louis, Mo., as the nearest relative.

The identification was made from keys and a rosary found in the clothing. The face was unrecognizable. County Detective Ellis Parker said that, apparently, Gregor had been murdered and his body carried to the spot. One bullet had entered the right ear and another penetrated the right cheek bone. Gregor had been posted as a deserter since his disappearance.

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